

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

DB STRUCTURED PRODUCTS, INC.

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

BALTIMORE AMERICAN MORTGAGE
CORPORATION

07 CIV 4109

TO: (Name and address of defendant)

BALTIMORE AMERICAN MORTGAGE CORPORATION
7484 Candlewood Road
Hanover, Maryland 21076

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

THACHER PROFFITT & WOOD LLP
Richard F. Hans (RH-0110)
John P. Doherty (JD-3275)

Two World Financial Center
New York, New York 10281
(212) 912-7400

an answer to the complaint which is herewith served upon you, within TWENTY days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAY 25 2007

CLERK

DATE



(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Executed on _____</p> <p style="text-align: center;">Date</p> </div> <div style="width: 45%;"> <p>_____ Signature of Server</p> <p>_____ Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

COURT UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
COUNTY OF
DB STRUCTURED PRODUCTS, INC.

Index No. 07 CV 4109

against
BALTIMORE AMERICAN MORTGAGE CORPORATION, INC.

Plaintiff(s)

Defendant(s)

**AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)**

SEE ATTACHED RIDER

MARYLAND
STATE OF ~~NEW YORK~~ COUNTY OF HARFORD

party herein, is over 18 years of age and resides ☒ IN THE STATE OF MARYLAND
That on 6/5/07 at 1:29 PM., at 7484 CANDLEWOOD ROAD, HANOVER, MARYLAND, SUITE BJ
deponent served the within summons, and complaint on defendant therein named,
SEE ATTACHED RIDER BALTIMORE AMERICAN MORTGAGE CORPORATION, INC.
BY SERVING REGISTERED AGENT
DONALD J. ORDAKOWSKI, JR.

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

- INDIVIDUAL
1. ☒
CORPORATION
2. ☐
SUITABLE AGE PERSON
3. ☐
AFFIXING TO DOOR, ETC.
4. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
said defendant therein.
a corporation, by delivering thereat a true copy of each to
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and
knew said individual to be thereof.
a person of suitable age
by delivering thereat a true copy of each to and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age
and discretion thereat, having called there

- MAILING TO
RESIDENCE
USE WITH 3 OR 4
SA. ☐
MAILING TO
BUSINESS
USE WITH 3 OR 4
SB. ☐

DESCRIPTION
USE WITH
1, 2, OR 3
☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to
and deposited
defendant at defendant's last known residence, at
said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly
addressed to defendant at defendant's actual place of business, at
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the
communication was from an attorney or concerned an action against the defendant.

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input checked="" type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input checked="" type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input checked="" type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.
☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional
legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE
☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any
capacity whatever and received a negative reply. Recipient wore *ordinary civilian clothes and no military uniform*. The source of
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.

FIRST NAME BEHIND SIGNATURE
ANDRE S. POWELL

Sworn to before me on June 19, 2007

License No. _____

Betty A. Brown

My Commission Expires: 12/1/07

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X Case No. 07 CV 4109
DB STRUCTURED PRODUCTS, INC.

Plaintiff,

vs.

**RIDER TO
AFFIDAVIT OF
SERVICE**

BALTIMORE AMERICAN
MORTGAGE CORPORATION, INC.

Defendants.

-----X

List Of Documents Served:

- Summons In A Civil Case
- Complaint With Exhibits 1-3
- Explanation Of Relatedness
- Statement Pursuant To Rule 7.1 Of The Federal Rules Of Civil Procedure
- Civil Cover Sheet
- Individual Practices In Civil Cases Denise Cote, United States District Judge
- Individual Rules Of Practice Of Judge Kevin Nathaniel Fox
- Procedures For Electronic Case Filing
- Guidelines For Electronic Case Filing
- 3rd Amended Instructions For Filing An Electronic Case Or Appeal